

**REMARKS**

In an Office Action dated September 21, 2004, claims 7-10, 12, and 13 were finally rejected as being anticipated by U.S. Patent No. 5,473,143 to Vak, et al. ("Vak"). Applicants respectfully traverse the rejection for the following reasons.

Claim 7 requires generating electronic images "storing each electronic image in an image memory with an image identifier." Examiner has pointed to "image memory 174" of Vak as disclosing this element. Examiner has apparently conceded that Vak does not explicitly teach or suggest that an image identifier is stored with the image, but has asserted that this element would be inherent in Vak because "the system 'knows' where the image is stored". Applicants respectfully traverse. So-called image memory 174 is merely an "input buffer" for an OCR subsystem (Col. 10, lines 42-57). To the extent the system "knows" where the image is stored, it knows the image is stored in the input buffer. There is no requirement for an image identifier (e.g., a file name) in such an arrangement because the image file is physically stored in a known location. As such, nothing in Vak requires or even suggests using an image identifier that is stored with an electronic image.

Additionally, claim 7 requires that the image identifier be linked to a transaction identifier. As discussed in the preceding paragraph, Vak does not teach storing an image identifier. As such, Vak cannot be said to teach or suggest linking the (non-existent) image identifier to a transaction identifier.

Claim 7 further requires "transmitting to an image server a copy of each electronic image and the image identifier." Nowhere does Vak teach or suggest an image server. Examiner has pointed to microprocessor 120 of Vak as being an image server. Applicants respectfully submit that a microprocessor is not a server under even the most liberal interpretation of the term. Furthermore, as addressed above, Vak does not teach or suggest storing an image identifier with the image and hence the reference fails to teach or suggest transmitting the (non-existent) image identifier.

Examiner's assumption that Vak will associate the electronic image stored in the input buffer 174 with an image identifier linked to a transaction identifier is unwarranted, particularly in light of Vak's clear teaching that "the scanned image will be placed in the input buffer 174 and further analysis and processing will occur according to the normal OCR processing capability of the terminal" (Col. 10, line 65 through Col. 11, line 4). The cited portion of Vak suggests that the scanned image will be processed in a normal OCR manner in which the scanned image will be converted to a text based or ASCII file. Nothing in Vak teaches or suggests that the image file will be maintained or stored for any reason after processing has been completed. By contrast, Applicants' claim 7 clearly and uniquely recognizes that the scanned image can be maintained and linked to transaction data – separate and apart from its use in an OCR scanning process. While the temporary use of a scanned image file in OCR processing is well known, it is only with the benefit of Applicants' teaching that one would be compelled to store the scanned image on an image server along with an image identifier linked to transaction data.

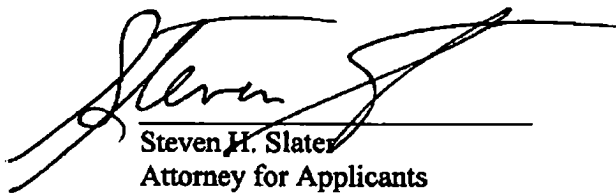
Claim 8 requires "storing the transmitted electronic image and identifiers in an image database." Examiner has cited memory 126 as being an "image database." Applicants respectfully traverse on the grounds that a memory, such as disclosed by Vak, is not a database. Examiner has failed to establish a prima facie showing as to why one of ordinary skill in the art would understand the disclosure of a memory to teach or suggest the use of a database. Claim 8 is also patentably distinct from Vak for reason of its dependence from claim 7. Likewise, claims 9-10, and 12-13 are patentably distinct over Vak by virtue of their dependence from claim 7 as well as their further defining limitations.

Claim 11 was rejected as being unpatentable over Vak in view of U.S. Patent No. 5,652,802 to Graves, et al. ("Graves"). Examiner concedes that, although Vak discloses optical character recognition (OCR) processing, Vak fails to teach or suggest comparing the electronic image to a pre-stored template as required by claim 11. Examiner asserts that Graves overcomes this limitation because, as Examiner asserts, Graves provides for "a method of optical character generation." Applicants respectfully traverse because Examiner has nowhere identified and Applicants are unaware of any teaching or suggestion in Graves regarding optical character recognition. There is no suggestion to combine these references absent reliance upon the

teaching provided by Applicants' own teaching. For this reason, as well as the reasons provided above with respect to claim 7 from which claim 11 depends, the references fail to render claim 11 unpatentable.

For the reasons provided above, Applicants respectfully submit that claims 7 through 13 are patentable and request a prompt indication of allowance for the pending claims.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven H. Slater", is written over a horizontal line.

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